

NANCY ZAZZERA

v.

FRANK S. PANZA et al.

Submitted on Briefs December 20, 2000
Decided January 11, 2001

Panel: RUDMAN, DANA, SAUFLEY, ALEXANDER, and CALKINS, JJ.

MEMORANDUM OF DECISION

Frank Panza and Karen Panza appeal from the judgment of the Superior Court (York County, *Fritzsche, J.*) affirming the judgment of the District Court (Biddeford, *Wheeler, J.*) finding in favor of Nancy Zazzera in the amount of \$10,794 on her claim for a real estate commission. Zazzera cross-appeals and contends that the Superior Court erred in finding that the judgment against Karen Panza was not a default judgment.

The District Court entered its judgment after a trial. The trial was not recorded, and the appellants have failed to provide any record of the proceedings below. *See* M.R. Civ. P. 74(b)(2), (c), (d). Because there is not a sufficient record for our review of the factual findings of the court, we must assume that there was sufficient evidence to support the trial court's findings. *Lamb v. Euclid Ambler Assocs.*, 563 A.2d 365, 367 (Me. 1989); *see also Int'l Paper Realty Corp. v. St. Hilaire*, 525 A.2d 1035, 1036 (Me. 1987). Because we affirm the judgment of the District Court against both Frank Panza and Karen Panza on the basis of the inadequate record on appeal, we need not address Zazzera's cross-appeal.

The entry is:

Judgment affirmed.

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